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Attorneys for Defendant, Parkshore Development Corporation

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

PENNSYLVANIA NATIONAL MUTUAL :  
CASUALTY INSURANCE COMPANY, :  
Plaintiff, : Civil Action No.: 07-1331 (RBK-JS)  
vs. :  
PARKSHORE DEVELOPMENT :  
CORPORATION, :  
and : NOTICE OF CROSS-MOTION  
CATALINA COVE CONDOMINIUM :  
ASSOCIATION, INC., :  
and :  
KEEN'S CAULKING AND :  
WATERPROOFING, :  
and :  
ABC CORPORATION 1 through ABC :  
CORPORATION X, fictitious :  
names, :  
Defendants. :  
:

NOTICE OF CROSS-MOTION  
(Returnable March 17, 2008)

**TO:** Michael S. Savett, Esq.  
Weber, Gallagher, Simpson, Stapleton,  
Fires & Newby, LLC  
1101 N. Kings Highway  
Cherry Hill, New Jersey 08034  
Attorneys for Plaintiff, Pennsylvania National Mutual  
Casualty Insurance Company

**PLEASE TAKE NOTICE THAT**, the undersigned will apply pursuant to Fed. R. Civ. P. 56(b) to the above named Court at the United States District Court for the District of New Jersey, Camden Vicinage, as soon as counsel may be heard, for an Order granting partial judgment in favor of the defendant, Parkshore Development Corporation, ("Parkshore") declaring that plaintiff Pennsylvania National Mutual Insurance Company ("Penn National") is obligated to defend Parkshore against the claims asserted in the underlying action entitled Catalina Cove Condominium Association, Inc. v. Parkshore Development Corporation, et al., Superior Court of New Jersey, Atlantic County, Law Division, Docket No. L-5364-06, and to reimburse Parkshore for fees and costs it has incurred in the defense of that action to date.

In support of this Motion, said defendant will rely upon the attached Brief, Certification, Exhibits and Affidavit of Kenneth R. Steinberg. Attached is a proposed form of Order. No oral argument is requested.

NEHMAD PERILLO & DAVIS, P.C.  
Attorneys for Defendant,  
Parkshore Development  
Corporation

BY: s/Salvatore Perillo (SP8248)  
SALVATORE PERILLO

Dated: March 3, 2008